



"The City With a Heart"

Larry Franzella, Mayor
Rico Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

March 28, 2006

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on March 28, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. **ROLL CALL:** Presiding was Mayor Franzella with Councilmembers, Medina, Ruane, Ibarra and O'Connell in attendance. Recorded by City Clerk Bonner.

PLEDGE OF ALLEGIANCE: Led by Vice Mayor Medina.

ANNOUNCEMENTS:

Councilmember O'Connell announced the **Arbor Day** tree planting was moved to Saturday, April 1st at 8:30 am at the Corporation Yard in San Bruno City Park because of weather conditions on Saturday, March 25.

Vice Mayor Medina announced the Chamber of Commerce **Pancake Breakfast and Easter Egg Hunt** will be on Saturday, April 8 from 8:00 – 11:00 am at San Bruno Park (rain or shine). The Easter Bunny will arrive at 11:00 am and the free egg hunt for ages 1 through 8 will begin.

PRESENTATIONS:

Present Proclamation Declaring April 24 through April 30, 2006 **West Nile Virus and Mosquito and Vector Control Awareness Week**.

Robert Reichel, the San Mateo County Mosquito Abatement District representative for San Bruno, thanked the Council as well as Steve Firpo at Cable TV for getting the information out to the citizens.

Councilmember Ibarra thanked Robert Reichel for his great work.

2. **REVIEW OF AGENDA:** **Mayor Franzella** moved Item 12 to follow Item 5.
3. **APPROVAL OF MINUTES:** The minutes were approved as submitted.
4. **CONSENT CALENDAR:**
 - a. **Approve:** Payroll of March 10, 2006.
 - b. **Approve:** Accounts Payable of February 6, 2006 and February 13, 2006.
 - c. **Accept:** Reconciliation of General Ledger to bank reports and the Investment reports dated January 31, 2005, as submitted by City Treasurer Linda Freitas.
 - d. **Adopt:** Resolution of Intention to Adopt Position Description Accounting Supervisor.

M/S Ruane/Ibarra to approve, passed with a unanimous vote.

5. PUBLIC HEARINGS: None

12. REPORT OF COMMISSION AND BOARDS

- a. Receive annual oral report from **Senior Advisory Committee**.

Recreation Services Manager Mines asked that Council delay the Senior Advisory Board's presentation until Bill Goff arrives.

Mayor Franzella said we would move on with the meeting and bring this item forward when Bill Goff arrives.

6. UNFINISHED BUSINESS: None

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACT:

- a. Adopt Resolution authorizing the City Manager to execute a contract with Ionian Construction, Inc., in the amount of \$472,857.00 for construction services on 36 single and multi-family dwellings for the **FAA Aircraft Noise Insulation Program, AIP 3-06-0221-29, Phase 14**.

Library Director Terry Jackson said this is the last phase of the Aircraft Noise Insulation Program, these homes are the remainder considered earlier and rejected or the homeownership has changed.

Councilmember Ibarra asked about change of ownership and if some residences had not participated.

Library Director Jackson said the airport had done a major solicitation and there were very few.

Rose Urbach, Euclid Ave., said the airport noise insulation money should be used only for existing houses and not to contractors in new areas.

Mayor Franzella said these funds were not going to contractors they were going to noise insulation programs.

Councilmember Ruane introduced the resolution for adoption, roll call vote of all ayes.

8. COMMUNICATIONS:

- a. Receive oral report from **Fire Chief Dan Voreyer**, on City staff participation in the Federal Emergency Management Agency (FEMA) **Earthquake Preparation and Response Course**.

Fire Chief Voreyer reported on his participation in the countywide FEMA program. Among the seventy-four participants, Sgt. Matt Campe, Larry Smurwaite from PW and Dave Perazzo from Parks and Recreation joined him.

Councilmember O'Connell said she was glad to see San Bruno continuing the work started as well as the countywide participation.

12. REPORT OF COMMISSION AND BOARDS (moved)

- a. Receive annual oral report from **Senior Advisory Committee**.

Senior Advisory Committee Bill Goff gave a PowerPoint overview of what the seniors have done this past year and what they propose to do in the coming year. His review included the classes activities, 20,000 meals served per year and the many fundraisers the center participates in. January 16, 2007 will be the twentieth anniversary of the center.

Councilmember Medina complimented the Senior Center staff and volunteers.

9. STAFF REPORTS:

- a. Adopt resolution accepting grant of easements from the **Shelter Creek Condominium Owner's Association** for public storm drainage maintenance and repair on property located at Shelter Creek Condominiums.

Public Works Director Munns said this project is the conclusion of a series of transactions and improvements that settle a situation between the City and the Shelter Creek Condominium Owner's Association.

Councilmember Ibarra asked if the project was complete?

Public Works Director Munns concurred and stated it was completed under budget

Councilmember Ibarra introduced the resolution for adoption, roll call vote of all ayes.

- b. Receive report on the availability of alternative internet technical support service providers and provide direction to staff regarding contracting with **ParaSun Technologies, Inc.**

Cable TV Director Gyaltsen gave a thorough overview of the cable service providers here in the United States as well as the feasibility of staying with ParaSun Technologies, our existing service provider until the 2007-2008 fiscal year allowing for thoughtful review from other vendors.

Councilmember Ibarra asked if we are on a one-year renewal contract.

Cable TV Director said the contract is good through December 31, 2006.

Councilmember Ibarra asked if it was ok to go year to year?

Cable TV Director Gyaltsen said the original contract with ParaSun was for one-year agreement with three-year automatic renewals. We were able to negotiate better rates.

Councilmember Ibarra asked if Cable TV Director Gyaltsen was confident all avenues were researched and that we have a good provider with ParaSun?

Cable TV Director Gyaltsen concurred.

Councilmember Medina said he believed one of the concerns was the automatic renewal without an annual review by Council. He asked for a comparison of rates; however, **City Attorney Thompson** said the information is confidential.

Councilmember Medina asked if we are getting a better rate with the company we now maintain rather than going to another source?

Cable TV Director Gyaltsen concurred.

Councilmember Medina asked about the 24/7 service. Do we have logs of when calls occur?

Cable TV Director Gyaltsen said originally there was an 800 number called that applied to everyone. After meeting with them, we have an 800 number established specifically for San Bruno starting the first quarter of 2006.

Councilmember O’Connell thanked the Cable staff for all their thorough work.

M/S O’Connell/Ibarra to approve, passed with a unanimous vote.

- c. Receive report and provide direction on permits and regulations for **peddlers and solicitors** and the matter of mobile food vendors.

Finance Director O’Leary said through the Council and other venues there have been increasing comments and complaints regarding mobile food vending operations within the community. The concerns have been on the number of operators, impact on traffic, site distance problems, litter and the use and blocking of sidewalks. Catering trucks and mobile food vendors have been placed in a business license category of “out of town business.” He outlined the Municipal Code’s definition of a peddler, which he believed applied to the mobile food vendors.

Police Chief Violett said since the food vendors were not assigned as peddlers or vendors, under the Police Department’s ordinance, they were not subject to any regulations; only parking. He reviewed the parking of existing vendors and identified the parking regulations on El Camino are a six-hour limit enabling the vendor the ability to move once a day. The Police Department has received more complaints regarding commercial trucks advertising their businesses. He suggested those time limits be reduced.

Mayor Franzella asked why there was a difference between north and south of El Camino?

Police Chief Violett said it has been like that for over twenty years. He surmised there are more businesses with storefronts south of San Bruno Avenue that would warrant a narrow window.

Mayor Franzella said he thinks the parking needs to have a turnover and asked that the Police Chief come back with a recommendation to change all the parking on El Camino to two-hour parking zone.

Finance Director O’Leary said he believes most of the food vendors have business licenses. He said as the tax collector, it was his job to make the proper classification of a business and the fair assignment of a business tax. The purpose is to reclassify mobile food vendors as peddlers. In addition to the business license, the food vendors would be required to obtain a peddler’s permit, which has more regulations. Vendors would not be permitted to operate on private property.

Councilmember Ruane asked if this would apply to the ice cream carts?

Finance Director O’Leary said the general intent would apply to anyone working around the City.

Councilmember Ibarra asked about peddlers in San Bruno Park. and the ten-minute rule.

Mayor Franzella said staff would look into this and make a determination.

Virginia Yanke, Elm Ave., questioned why these vendors aren't in other cities? She asked if those cities had a different criteria than San Bruno. She asked if the "Blue Men" who came around during the summer would be considered peddlers?

Harry Costa, San Mateo Ave. Business Owner, expressed his concerns about so many peddlers and solicitors in San Bruno.

Verna, owner of two trucks in San Bruno, expressed her concerns about the rules and regulations governing the mobile food trucks.

Mayor Franzella said the City has not looked at regulating the numbers of types of any business.

Verna stated she had attempted to purchase a lot where she could park to sell her food.

Mayor Franzella said the current law does not allow that.

Councilmember Ibarra said Verna was unique in not only owning her own trucks but also being a resident of San Bruno.

M/S Ruane/Ibarra to concur with staff to reclassify these businesses as peddlers and also to look at the ordinance and to bring back the appropriate language.

Councilmember Ibarra made reference to a letter received from Scott Buschman expressing his concerns regarding these vendors. Councilmember Ibarra also shared his concerns regarding accountability.

Dean Peterson, representative from San Mateo County, said this was one of the areas they watch with over 200 trucks in San Mateo County.

Councilmember Ibarra asked how extensive are the background checks and how much accountability as far as information and reputation.

Dean Peterson said each individual is required certification for food handling. His department looks at health impacts and healthiness of the food and the individuals have knowledge of how to handle food. Once a year, the vehicles go through extensive health inspections; sometimes the CHP does a vehicle check.

Councilmember Ibarra said there needs to be something more done because of their mobility.

Dean Peterson said another requirement is each of the vehicles needs to be serviced daily at a commissary. Food is all prepared in a commercial-type situation.

Mayor Franzella reminded Council there was a Motion and Second on the floor, passed with all ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Alan Lubke, Fleetwood Dr. addressed three items: 1) the 911 system; 2) Police Watch Briefings and, 3) Code Enforcement related to door-to-door salesman, requested answers for items 1 & 3.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

- a. Receive annual oral report from **Senior Advisory Committee**. (moved to follow Item 5).
- b. **City Clerk Bonner** recommends City Council set a date and time to interview applicants to fill vacancies on committees, boards and commissions. Currently there are three (3) vacancies to be filled. One (1) on each of the following committees: **Community Preparedness Committee, Parks & Recreation Commission, and Personnel Board**.

Mayor Franzella said these interviews will take place on April 11, at 6:30 p.m. Council concurred.

- c. Receive oral report on application process for appointment to **City Treasurer position** from Council Sub-Committee Medina/O'Connell.

Councilmember Medina advised of a Notice of Vacancy and calls for the applications for the City Treasurer has been posted. Those applications can be obtained from the City Clerk's office by April 7th at 4:00 p.m. Interviews will take place on April 10th at 5:30 p.m. in Conference Rm. 115.

Councilmember O'Connell said the application is also available on San Bruno's web site. She said the interviews would not be televised.

Councilmember Medina said the interviews are open to the public.

13. NEW BUSINESS: None

14. ADJOURNMENT:

Mayor Franzella adjourned the meeting with a moment of silence in memory of **Angelo Zawaydeh**, who was killed in Iraq fighting for our country.

There being no further business to transact, the meeting was adjourned at 8:33 p.m. The next Special City Council meeting is scheduled Monday, April 10, 2006, 5:30 p.m., at San Bruno's City Hall, Room 115, San Bruno.

The next Special City Council meeting will be held on April 11, 2006 at 6:30 p.m. to be followed by the regularly scheduled City Council meeting at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
April 11, 2006.

Carol Bonner, City Clerk

Larry Franzella, Mayor